

West Tisbury Planning Board & Martha's Vineyard Commission
Redevelopment Proposal

Atwood Farm a.k.a. Huseby

Address: 5 Huseby Mountain Rd
 (a.k.a. 120 Pine Hill Rd)
 Parcel 21-8
 9 Huseby Mountain Rd
 (a.k.a. O Pine Hill Rd)
 Parcel 21-8-2
 7 Huseby Mountain Rd
 (a.k.a. O Pine Hill Rd)
 Parcel 21-8-3
 Huseby Mountain Rd
 (a.k.a. O Pine Hill Rd)
 Parcel 21-8-4 40 Old Courthouse Rd Parcel 22-7-3 48 Old
 Courthouse Rd
 Parcel 22-7-4

General Developer:	Atwood Farm LLC
Market Rate Housing Sub-Developer:	Huseby Meadows LLC
Affordable Housing Sub-Developer:	Island Housing Trust

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A. PROJECT DESCRIPTION

1. Context

This application is applying for recission of Huseby Mountain Farms Definitive Subdivision Plan pursuant to Massachusetts General Laws Chapter 41 , section 81W, and reapplying for a new form C Definitive Subdivision Plan pursuant to the Subdivision Control Law and the Zoning Bylaw of West Tisbury, specifically Article V Open Space Development, which is a Permitted Use, allowed by right, not requiring a Special Permit. This application is for the remaining 27-acres of undeveloped land, plus two additional 3-acre abutting parcels (40 & 48 Old Courthouse Rd) subsequently acquired, a total of 33.45 acres, which is larger than the original approved development.

Pursuant and consistent with the enabling legislation of the Martha's Vineyard Commission, this application is proposing the modification of the 201 5 Huseby Mountain Farms DRI #650 (exhibit 1), which previously subdivided a large portion of the property a.k.a. Huseby Farm's 31 acres into 5 lots (4 market rate lots and 1 affordable home site lot). The affordable home site lot and one 3-acre market rate lot were sold by the previous developers prior to our purchasing the remaining 27-acre development.

Based on zoning and the existing approvals ten dwellings can be built now, with at least forty-four bedrooms. This new application includes the ten approved dwellings (MR 1-8 & MR 9 & Farm #2, 44 bedrooms) plus eight new rental apartments for public school employees (IHT 1, 8 units, 12 bedrooms), plus three new affordable single family lots (IL 1-2-SP, 12 bedrooms) . The proposed new site plan, can be seen in exhibit 2., and would have no increase in the number of market rate dwellings or market rate bedrooms. 100% of the additional density proposed is for affordable housing and is outlined below:

- o Eight (1-2 bedroom) affordable rental housing units for employees of any island public school.
- o Three (4 bedroom) for-sale affordable single family house lots. Two of these lots are reserved for nonprofit(s) or "Islanders", persons born on Martha's Vineyard, and/or have worked in a public service role for a minimum of 10 years on the Vineyard. The third home site was built as a market rate unit, it will also be deed restricted as affordable and will be owned by a qualifying workforce "Islander".

The IHT lot is being donated by the developer to Island Housing Trust, on behalf of the vineyard public schools. It will be permanently deed restricted with a covenant that the rentals be prioritized for employees of the vineyard public schools (public & charter).

Two new lots will be offered by the developer for sale, to non-profit(s) or "islanders — persons born on MVY and/or worked in public service for min 10 years" at a discount to the market value for \$199k each (which the developer reserves the right to waive). Any sales proceeds will be donated by the developer to Island Housing Trust, on behalf of the vineyard public schools, to be used towards the construction costs

of the school employee housing. The third designated workforce dwelling is built on one of the parcels subsequently acquired. It is subject to agreement with the existing qualified tenant, for no profit.

All incrementat density will be restricted as affordable with a permanent restriction in the title of the land pursuant to the bylaw requirement. Provided the developer transfers Lot IHT 1 and the sells IL 1-2 as affordable lots and transfers all, if any proceeds to II-IT, it shall be stipulated and agreed that any affordable requirement under the zoning bylaws section 4.4-6 shall be satisfied.

The developer has entered into a three-way letter-of-intent with the Martha's Vineyard Public Schools and with Island Housing Trust for the above donations. Island Housing Trust wilt build and own the school employee housing and will agree a rental offering with the MVPS and the Charter School.

We have entered into a sale agreement with the Martha ¹'s Vineyard Land Bank, where they will acquire seven acres of open farm land (Farm #1 - the upper field), a hilltop ridge and a public walking trail through the property connecting Pine Hill Rd and Old Courthouse Rd to the islands trail network.

All three of the above agreements are subject to among other conditions, the approval of this application by the Martha's Vineyard Commission and the Town of West Tisbury.

2.Sit

The property is comprised of farmland, forests, wildlife, two large tracts of contiguous open space, steep slopes and a hilltop bluff. It is located between Old Stage Road and Old Courthouse Road, both off State Road in West Tisbury MA within the Tisbury Great Pond watershed. The property is located less than 1/4 mile, as "the crow flies", from the West Tisbury Elementary School. The attached locus maps show the location and environs as well as directions to the site, see exhibit 3.

The property is zoned Rural District (RU), as stated with the purpose of "maintaining the Town's historic pattern of rural settlement, characterized by large expanses of open space and unspoiled views from the road, a scattering of residences and clustered development surrounded by open space".

The existing approved 27-acre site plan identifies 5 large residential building envelopes, those areas are largely being respected with minimal modifications that impact abutters. Two building sites on the hilltop bluff are being eliminated and the residences relocated to enhance the overall conservation value of the open space. In another instance, a building envelope was enlarged to accommodate the relocation of the houses for the affordable units. This enlarged area abuts the two additional properties we purchased.

In order to conserve the ridge and the farmland within, as well as to create the areas for the eleven affordable workforce residences, all dwelling sites are being reduced in size to 1+/- acre lots. The rental apartments will occupy a 2-acre site. There is no minimum lot size under the zoning other than B.O.H requirements for adequate water supply and sewage disposal and thus all lots will be Conforming.

Currently, non-residential accessory uses (buildings, pools other improvements) are permitted throughout (i.e. outside residential building envelopes) all the properties other than usual customary town zoning conditions such as dimensional requirements (setbacks) and would be so under the new development approvals.

The site is approximately 1 ,800 feet long by nearly 1 , 750 feet wide at the widest points, comprising a total of 33.45 acres. It is wooded with scrub oak and pine and open fields. There are no wetlands or priority habitat of rare species on the site. There are two large open fields, separated by a high center ridge, comprising 15+ acres on the property and there are no restrictions for non-residential development. All abutters are primarily residential single-family homes on 3+/- acre lots, including a number of operating farms. The attached arial map shows the location and environs of the site, exhibit 4.

The land is zoned RU. (rural) which allows one dwelling per 3-acre lot; if an RU lot is 6 acres or larger the subordinate dwellings are exempt from the 1,000 sq. ft. size restriction. The two 3-acre Old Courthouse Rd. are permitted "by right" to two dwellings each (primary and subordinate) as they both have "grandfathered status".

A parcel of this size could be re-subdivided into eleven lots of 3 acres. However, by using the cluster development method of conserving large swaths of open space with a recorded conservation easement per Article V - Open Space Development, the site can be subdivided into twenty (22) residential building lots by conserving 60% of the land, and by obtaining density bonus for site access, conservation and affordable housing. See exhibit 5 for the proposed density bonus calculation. We are seeking density bonuses of 90%, 50% for the creation of affordable housing and 40% is attributable to the public access benefits of opening hiking trails that can eventually connect different hiking points.

The planning board is required to make a determination in writing of the conservation value of the lands and has sole discretion on the bonuses. None of the density bonuses is for market rate housing, all of the bonus units will be for affordable housing.

A total of 17 primary residential structures incorporating 21 dwellings for the site is proposed, versus 10 that are already approved, and 68 bedrooms are proposed versus the 44 that are already allowed. 100% of the density increases are for affordable housing, three non-profit or "islander" single family building lots and eight school employee apartment rentals.

There are no conservation restrictions protecting the two large open fields. Under this application, the large open fields (upper & lower) are to be restricted with a permanent conservation restriction. The upper field (Farm #1), being purchased by MVLB, has two identified envelopes for future Accessory uses and structures (Non-residential, including provisions for future utilities/wells, wastewater systems, and driveways.

The lower field (Farm #2) also has two identified envelopes for future Accessory uses and structures (nonresidential and residential (bedrooms limited to two, not as a standalone dwelling/sfr), including provisions for wells and wastewater systems, and may include up to two bedrooms. In addition, the lower field also has identified locations for two potential ponds to be installed for grazing of farm animals, wildlife and any nitrogen removal benefits afforded by the MVC.

All dwellings, and accessory structures will be subject to Site Design Guidelines as outlined in the Design Requirements. See attached exhibit 6.

3. Access, traffic and transportation

The development has three owned points of access to the property, Pine Hill Rd., Old Stage Rd. (via Huseby Mountain Rd.) and Old Courthouse Rd. Huseby Mountain DRI #650 authorized access for the existing approved six dwellings (up to 30 bedrooms) via Old Stage Rd, via Huseby Mountain Rd. The access to Pine Hill Road will only be for MVLB recreational access.

A new curb cut and private roadway consisting of a permeable sand hardener surface 18' wide will be built, between 40 & 48 Old Courthouse Rd., where the boundaries intersect the road. This private road will be connected to the 27-acre parcels to provide access to the two farms and three dwellings from the original approved subdivision. This road will also provide access to the existing Powell home and their existing driveway cut will be eliminated, thus maintaining the existing number of road cuts on Old Courthouse Rd and permanently removing one future road cut. The incremental traffic on Old Courthouse Rd. from this re-development will be three market rate dwellings (access being relocated from Old Stage Rd. and eleven affordable dwellings.

This proposal places deeded conservation restrictions on the two large fields and are expected to remain agricultural farms. The upper field (Farm #1), owned by MVLB and the lower field (Farm #2), owned by Atwood Farm, will be accessed from the new road connecting the farm fields to Old Courthouse Rd. This access for agriculture and farming is allowed and protected pursuant to Dover.

While access to the property via Pine Hill Road is not currently authorized for vehicular traffic, we do own an access easement and are proposing it be used for recreational activities; walking, cycling and horseback riding and similar activities to be controlled by MV Land Bank. It will connect the existing MV trail system from Pine Hill Rd. to Old Courthouse Rd. Again, no regular vehicular traffic will be permitted to egress via Pine Hill Rd except for emergency service vehicles, if needed.

The internal roadway has been designed to accommodate emergency vehicles with the three points of egress on to three different existing public and private ways. It's our intention to make certain that each internal lot may be reached by the fire department, police department, and other agencies charged with the responsibility of protecting the public peace, safety and welfare. All owners of home sites and agricultural sites will be subject to a Roadway Maintenance Agreement, to ensure the internal private ways are well maintained, attached as exhibit 7.

4. Buildings and structures

Nine of the market rate dwelling locations (MR 1-9) will consist of traditional style single family residences. A two bedroom dwelling unit will be incorporated into an Accessory structure(s) on Farm #2 and will not be a detached dwelling unit. Eight of the market rate sites (MR 1-8) will be restricted to a maximum of 5 bedrooms for each property (total 40 bedrooms) and market rate locations (MR 9 & 10 (a.k.a. Farm #2)) will be restricted to a maximum of 2 bedrooms each (4 bedrooms). Islander single family home sites (IL 1-2, SP) will be traditional style family 1 & 2 story buildings and will be limited to four bedrooms each (12 bedrooms). IHT 1 will be four structures containing four 1-bedroom and four 2-bedroom apartments.

Pursuant to the by-law, accessory apartments and detached bedrooms are, and shall be allowed where applicable, subject to Planning Board Approval. However, there will be deed restrictions on each property for the specified bedroom count outlined above.

The eight school employee rental apartments will be very similar to the multi family structures at Scotts Grove. There will be four 1-bedroom & four 2-bedroom apartments. Initial renderings of the buildings have been prepared for IHT and are attached as exhibit 8

All building lots shall be approved as Conforming and will be permitted to build accessory structures (garages, pools...) anywhere on their property subject to the towns zoning bylaws. Farm #1 & #2 are restricted to their respective designated building envelopes and subject to the towns zoning bylaws.

On the two fields (Farm #1 & Farm #2), smaller accessory structures, such as chicken coops or lean-to sheds for animal shelter and feeding stations less than 16 feet in height, with a footprint of 120 square feet or less and not used for human habitation may be placed anywhere on the properties (including water or electricity), pursuant to W. T. bylaw section 4.2-2 (D), including in the areas of conservation restriction easements.

All owners of building lots and agricultural sites will be subject to a set of island style Architectural Design Requirements. See attached exhibit 6. In order to limit the impact of the development, in addition to the number of bedrooms, all dwellings have been restricted in size. Market rate dwellings are limited to a maximum total living square footage of 3,500 sf (excluding basements, detached bedrooms, porches, and accessory structures).

5. Landscaping

Conservation easements are being established on two large fields of 15+1- acres, including buffer zones between abutter's properties and along Old Courthouse Rd. A total of 20 acres will receive a permanent conservation easement restriction.

In the lower field, two ponds are contemplated and are shown on the proposed plan, which are included in the conservation restriction area. These ponds can also benefit the areas wildlife, nitrogen nitrification of the ground water and the Fire Department as an emergency water source.

All owners of home sites and agricultural sites will be subject to a set of Landscaping Design Requirements Agreement as outlined and attached as exhibit 6

6. Infrastructure

Surface runoff:

Above-grade surface groundwater will be contained onsite by existing topography and by maintaining wooded leaf-mulch uncompacted soils around the perimeter of the building envelope. There are no wetlands on, or in the immediate vicinity of the property.

Septic Systems:

We are proposing all the market rate housing units, islander units, and school housing units (apartments to have 1 system) will each have its own septic system and will be required to meet the nitrogen levels approved here and that those systems at the time of construction will be approved by the West Tisbury B.O.H. Please see exhibit 9, for the previously approved and the proposed nitrogen levels.

Wells & Groundwater:

The proposal is to locate private wells for each site (residential and non-residential).

Each well is located as to have sufficient permeable landscape surrounding it to be fully recharged by rainwater, balancing out water drawn with water absorbed.

Proposed Pond:

As noted on the site plan, the development is proposing building two ponds in the lower field (south east & north east) for the grazing of farm animals and wildlife.

7. Lighting and Signage

There is no neighborhood lighting planned for Atwood Farm.

Each entry door is required by code to have an exterior light, which will be a shielded fixture so light only shines downward.

The easterly road layout on 40/48 Old Courthouse Road was located so cars and headlights will be contained and minimize the impact on the house directly across the street and to minimize noise to the abutters on each side of the road.

B. PROJECT IMPACTS

1. Impact on environment

Open Space Development reduces development impacts on farmland, forests, wildlife habitats, large tracts of contiguous open space, environmentally sensitive areas, steep slopes, bluffs, hilltops, and historically significant areas. An alternative to conventional development, it results in the preservation of contiguous open space and important environmental resources, while allowing more design flexibility than conventional development. The property consists of 33.45 acres. The proposed cluster development involves a controlled and beneficial impact on the environment:

- Permanent conservation preservation of 20 acres of farm land, open fields and woods that are not protected today.
- A 23% reduction in nitrogen from current levels that are approved to be built today, and net-zero when taking into account the additional density of the proposed affordable housing (exhibit 9).
- Reserved building envelopes with oversized setbacks preserves vegetation.
- A green no building buffer along Old Courthouse Rd and the scenic ridge.
- A permanent elimination of one road cut onto Old Courthouse Rd.
- Controlled and identified moderate density for affordable housing on the two Old Courthouse Rd. lots that otherwise could be developed as dense market rate housing.

Open Space

As highlighted above, the 20-acre conservation easement that will be provided permanently protects farmlands in the Tisbury watershed and surrounding Pine Hill Rd. ancient way area. Conserving this property in this manner provides important benefits, including:

- Retains the undeveloped hilltop bluff unbuildable forever with conservation easement.
- Maintains recharge areas for replenishing water table, preserving local wells and replenishing ground water and aquifers.
- Maintains root systems that absorb rainwater nitrogen, etc.
- Protects habitat and provides access to a system of public trails.
- Clustering is consistent with West Tisbury's housing production plan, zoning bylaws and reduces the intrusion of infrastructure into the conservation lands and takes advantage of proximity to public bus transportation.
- Cluster development is a Massachusetts smart growth technique that enables rural communities to concentrate development in a portion of a site so that the remainder of the site can be preserved.

Endangered Species

During the prior approval, this site was formerly designated a NHESP priority habitat of rare species. As part of the previous developers' plan, a MESA filing was made and approved with the State Natural Heritage & Endangered Species Program (NHESP) to disturb up to 5 acres of woodland as part of the previous approval. This site is no longer a NHESP priority habitat of rare species or even an estimated habitat and thus we are seeking to remove such distinction for this property as part of this DRI modification application, see exhibit 10.

Waste Water & Storm Water

The Huseby properties under DRI #650 plan have been approved for either 18 bedrooms that produce 19 mg/l of nitrogen, or the bedroom count can be increased, up to 30 bedrooms provided it produces only 9 mg/l of nitrogen using an approved denitrification septic system to reduce nitrogen.

40 & 48 Old Courthouse Road acquisitions were subsequent and not part of the original development/DRI #650 approvals. These two properties are allowed to use standard Title V septic systems and are similar with other abutting owners, generating as much as 5 times or 500 percent the nitrogen levels per acre as the Huseby property. The two properties acquired on Old Courthouse Road (40 & 48) provide more nitrogen capacity than was approved for the 27 acres in the Huseby Mountain development/#650 DRI.

By utilizing advanced nitrification reduction septic systems on all the properties (including 40/48 Old Courthouse Rd. we will be able to significantly reduce the nitrogen loading by 23%, versus that which would be generated today by building just the market rate housing with the current wastewater system requirements, Even with the addition of eleven affordable units and 24 additional bedrooms, this development will achieve a net-zero increase in nitrogen versus current limits approved.

Said another way, we are able to add incremental density for affordable housing because we are enhancing currently allowed waste water systems.

We are proposing all the market rate housing units, islander units, and school employee rental units (apartments to have 1 system) will each have its own septic system and will be required to meet the nitrogen levels approved here and that those systems at the time of construction will be approved by the West Tisbury B.O.H.

In addition to the substantial reduction in nitrogen loading from the waste water treatment systems, two ponds have been proposed that can provide additional nitrogen reduction. This potential benefit has not been applied even though the MVC Nitrogen Policy provides for such consideration.

The developer (affordable and market rate) believe climate change is a real and significant concern. As such, they will employ the latest energy efficiency building standards including encouraging solar (without land clearing), decarbonizing residences by prohibiting fossil fuel-based heating systems in all residences and requiring a minimum of one electric car charging station per residence on site. Additionally, all homes have been restricted in size to a maximum total square footage in order to further limit the impact of the development.

2. Impact on persons and prooerty.

The developer Atwood Farm and IHT's Project Development Committee has convened two public meetings on October 16, 2017 and June 23, 2018 with neighboring property owners and the broader community to identify concerns and opportunities, as well a number of one-on-one meetings with abutters as possible program ideas for the project.

Based on input from public and private meetings, a number of changes have been incorporated into the project including: 1) eliminating one access road cut on Old Court House Road. 2) creating one access road to the farm and the affordable housing, we located this access road in the middle of our properties so cars and headlights will be contained and to minimize the impact on the house directly across the street and to minimize noise to the abutters on each side of the road. 3) relocating the affordable rental units to abut a property owner that is accommodating of the location being adjacent to them.

Open Space & Setbacks

Cluster development is a smart growth technique that enables communities to concentrate development so that the remainder of the site can be preserved permanently. The impact and future use, controlled and reduced, conserving this property in this manner provides important benefits, including:

Permanent conservation of 20-acres (60% of the property) will benefit the environment, abutting property owners and the island.

A trail to connect Old Pine Hill ancient way with Old Courthouse Road will be an important pedestrian path that provides access to the extensive Land Bank holdings, as well as other conservation properties in the area to be enjoyed by both abutting property owners and island.

Septic and groundwater:

The septic and ground water impacts will be minimized through the use of a state approved nitrification reduction septic systems that will reduce the nitrogen levels by a minimum of 23% below current approvals. Our preferred MassDEP approved systems are:

Nitrex@ Waste-Water Treatment System with unit sizing for design flows or,
NitROE@ Waste-Water Treatment System (NitROE@ WWTS) with unit sizing for design flows

The individual septic systems will be very much like the neighboring properties are dispersed. The density of 68 bedrooms on 33.45 acres equates to two bedrooms per acre of land, equivalent to a 6 bedroom residence on three acres. The big difference is this development, it will generate approximately 2/3 less nitrogen per acre than most of the homes in the town.

Traffic:

The property is an ideal location near the business district and near public transit access on the #2 & #3 Vineyard Transit Authority route, which runs past the property 24 times daily off-season and more during the season.

Any incremental traffic impacts in the town for this development project are minimal and are 100% related to building affordable housing for eleven residences, comprised of 24 bedrooms. There is no incremental traffic in the town from any .market rate development as it has already been approved and can be built.

Old Courthouse Road is a two-lane paved road running generally in a north-south direction with the segment approaching State Road running in an east-west direction. Old Courthouse Road provides access to residential/agricultural properties and dead-ends approximately 3,000 feet southeast of State Road. Old Courthouse Road is classified as a local roadway and is under local control. Land use along Old Courthouse Road is primarily wooded residential and farm land. A portion of this road is also designated a Special Way: beginning at the northern portion of Assessors Map 25, Lot 1, and running along its western bound to Old County Road. This designated section of the roadway is not utilized for vehicular traffic to this property in any way.

Noise:

The Atwood Farm proposal was designed to minimize noise impacts by dispersing the market rate sites over a large area, removing two home sites from the highest ridge and by centralizing and designing the affordable housing to minimize sound impacts.

- Close proximity of the affordable school employee units in multifamily buildings will encourage neighbors to be quieter due to the proximity of their fellow residents.
- Windows will be triple glazed casements with tight seals. When closed, noise impacts to the neighbors will be significantly minimized for the tenants and abutters.
- All affordable school rental units will have Air Source Heat Pump heating and cooling, which in summer will mean fewer (if any) windows open on warm or hot evenings.
- Any noise concerns expressed by any neighboring tenant or an abutting property owner regarding the employee housing will be addressed by the DCRHA's noise policy.

3. Impact on supply of affordable workforce housing

This development will substantially increase the supply of affordable workforce housing on the island and in the town by eleven units for individuals and families, targeting the island's single largest group of the workforce — public school employees. 100% of the density increase is for affordable housing. Under the zoning if this new plan is approved, we are required to provide just two lots for affordable housing, we are providing eleven permanent affordable units.

The supply of affordable housing on Martha's Vineyard, and in the town of West Tisbury is severely inadequate and well below the Commonwealth's statutory target by 517 units and 127 units respectively, see exhibit 11. Although the 2020 census numbers for the vineyard have yet to be certified by DHCD, their source data, UMassDonahue, indicates the progress of every town on the island towards their statutory percentage of affordable housing inventory since 2010, has deteriorated, not improved.

West Tisbury, one of the wealthiest towns in the state by property values, is in the lowest quartile of towns for the state's inventory of affordable housing achieving just 0.9% (less than 1/10 its' statutory requirement) of its housing stock deemed to be affordable. Of the 351 towns and cities in MA, 297, or 85% of other towns in the state are closer to achieving their statutory inventory of affordable housing in the state.

4. Impact on municipal services & burden on taxpayers

The Atwood Farm proposal will not impact town water and sewer services, as the

- Individual denitrification septic system(s) will service all new construction.
- Private wells on the property will service all residents.

The proposal's impact on municipal services will be limited to the affordable school employee rental units and the three affordable home lots,

The ten market rate units will not create any additional municipal needs as it relates to the analysis of this proposal as these units are already approved and can be built today.

December 5, 2021

The land for the affordable housing units is being created/gifted because of the existing strain on municipal services and the potential burden to taxpayers and thus should be viewed to lessen an existing burden and funding need by the town.

Again, the creation of three affordable single family home site lots and eight school employee rental units will benefit the workforce on the Island and its' public schools.

5. Efficient uses or burdening of other public facilities

The property is an ideal location near the business district and near public transit access on the #2 & #3 Vineyard Transit Authority route, which runs past the property 24 times daily off-season and more during the season.

Again, 100% of the density increase being sought as part of this proposal is directly attempting to moderate the burden on public finances and to support public schools by providing much needed affordable housing. If possible, school employees will be able and encouraged to carpool as many do every school day when those commuting arrive on island from Falmouth and the Cape.

6. Consistency with town, regional, state plans & objectives

The proposed project is well situated near the business district of the Town where higher density of housing is suggested in the West Tisbury Housing Production Plan.

The proposed development is consistent with Town, MVC and the States plans & objectives by creating affordable housing, public access trails, preserving farm lands and open space conservation.

Specifically, the ten market rate home lots (already approved), eleven affordable housing units and two working farms is consistent with the Town of West Tisbury, MVC, and the state Department of Housing and Community Development (DHCD) clustered land use planning and year-round affordable rental housing policies and objectives, including:

- Martha's Vineyard Housing Needs Assessment (2013)
- Martha's Vineyard Island Plan (2010)
- West Tisbury Housing Production Plan (2016)
- West Tisbury Zoning By-Law
- Commonwealth's Principles of Sustainable Development
- Commonwealth's Right to Farm by-law
- Dover Amendment Chapter 40A, Section 3

7. Conforming to zoning

The site is located in the RU (residential use) land district. The stated purpose of the Rural District is to "maintain the Town's historic pattern of rural settlement, characterized by large expanses of open space and unspoiled views from the road, a scattering of residences and small businesses, and clustered development surrounded by open space".

The use category under the zoning is Open Space Development, a residential development use permitted as-of-right. Per the zoning bylaws, "As-of-right siting shall mean that development may proceed without the need for a special permit, variance, amendment, waiver, or other discretionary approval. As-of-right development may be subject to Site Plan Review to determine conformance with the Zoning Bylaw.

Projects cannot be prohibited, but can be reasonably regulated by the Zoning Inspector and designated Site Plan Review authority".

Site Plan Review and Planning Board approval is warranted for the following reasons: 1) we are seeking discretionary density bonuses for affordable housing from the town Planning Board pursuant to section V of the zoning bylaws and 2) we are seeking agreement to expand the existing internal private ways within the development property to provide additional interior road frontage for the interior lots required under zoning bylaws given our current layout. We note the Planning Board could approve the Site Plan in accordance with Section 81R of Chapter 41 (GIL), The property has 636' of existing private and 406' of existing public road frontage, enough for 18 individual building lots versus 14 being sought in this application. The density proposed would only require lot line moves if we did not expand the interior road frontage, which is allowed and is an administrative process, although this is not being considered.

All requirements for the proposed lots within the Open Space Development bylaw are satisfied and no variances are required. Therefore, all lots are by definition are Conforming lots if approved.

There is no minimum lot size in Open Space Developments. The limiting factor for lot sizes in Open Space Developments is the need for adequate water supply and sewage disposal. The minimum lot size shall be as required by the Board of Health for disposal of sewage and the protection of water supply. Overall, the entire 33.45 acres supports 97 bedrooms under the B.O.H. regulations. using advance denitrification can double the bedroom density to 194 bedrooms. We are proposing 68 bedrooms using individual denitrification systems.

In order to encourage small subdivisions to follow Open Space Development principles, the allowable density for residential units is calculated by a formula based upon the net acreage of the property. The density may be increased by up to 100% through density bonuses designed to advance important goals of the Town's Master Plan. Density bonuses are given at the discretion of the Planning Board based upon the expected public benefit using specific predefined bonuses for public access, affordable housing, farmland preservation and open space preservation.

Using the cluster development method, the site could be subdivided into as many as twenty (22) singlefamily residences by conserving 60% of the land as open space, which is mandatory, and by obtaining density bonus for public access and affordable housing and preserving open space as farm land, all of which is at the discretion of the town planning board.

We are seeking density bonuses of 90%, 50% is for the creation of affordable housing and 40% is attributable to the recreational benefits of opening hiking trails that can eventually connect upwards of four different hiking points. There is no additional request for bonus density related to preserving working farmland or preserving additional open space. Any bonus shortfall will reduce the affordable units.

8. Conformity to DCPC regulations

The Atwood Farm proposal is not within any District of Critical Planning Concern or part of any Special Way designation. (t is adjacent (264 ft) to Pine Hill Road but not utilized for vehicular traffic to this property. However, Atwood Farm does own a full easement to Pine Hill Road and has agreed to provide MVLB the access for recreational purposes (a permitted use) such as walking, horseback riding and cycling (No motorized activity). In addition, part of the planned access road to the property is via Old Courthouse Road. A portion of this road is also designated a Special Way: beginning at the northern portion of assessors Map 25, Lot 1, and running along its western bound to Old County Road. Again, this designated roadway is not utilized for vehicular traffic to this property in any way.

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1 1 . SHI Island-wide Affordability Inventory	29

Existing Approved Development Plan

EXHIBIT 1

EXHIBIT 2

Proposed Development Plan

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EXIBIT 3

Locus Maps

West 113bd IV L. 0 0

- Excavation

North Tisbury

State k8ad

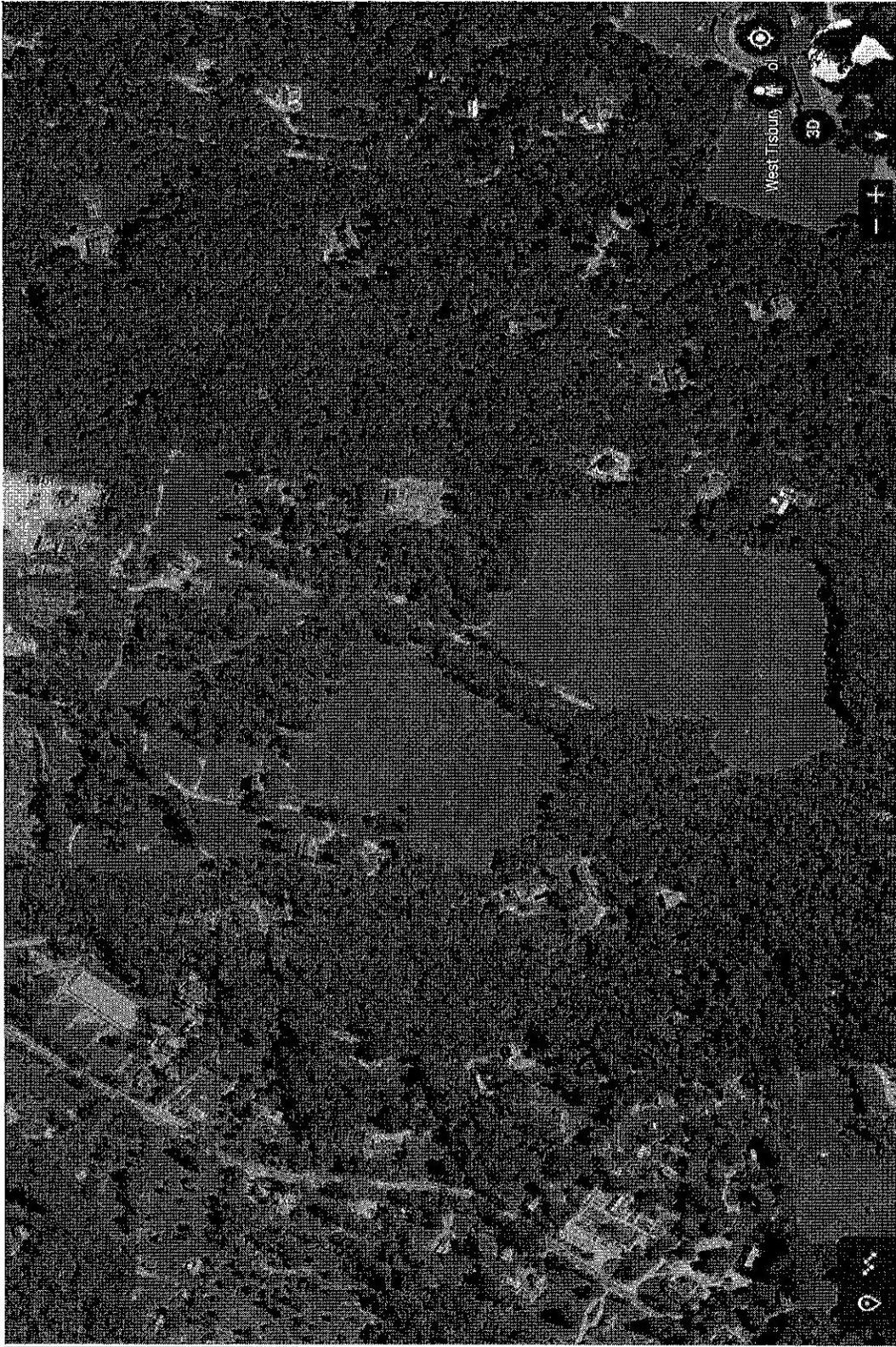
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EXH 18

Aerial Of Property



Density Analysis

EXHIBIT 5

Atwood Farm a.k.a. Huseby Mountain Road, West Tisbury

Density Analysis pursuant to Section 5 of the Zoning bylaws

Parcels		Three Acre Density Unit Count					Proposed Requested	Open Space Zoning Densit
Average	Parcel #	Lot Size Acres	Square	Allowable Residential Units @ 3 ac.				
9.01	21-8							
7.49								
10.00								
0.57								
3.19								
3.19								
33.45								
33.45			33.45		11			

Allowable Residential Units @ 3 ac.	% Bonus Density* Public Access	% Bonus Density* Affordable	% Bonus Density* Farm Land	% Bonus Density* X Farm Land	% Bonus Density* Total 100% max.	Unit Bonus Density* Total	Total Density
11 # Units	4.5	5.6	0.0	0.0	10.0	11 10	21

Land Useage Plan Required Affordable Units Calculation

Preserved Open Acres	Unre A	Total	Required Affordable	Required Affordable	Affordable	Affordable
20.1	:	10		2	4	11

Unit Summary Approval Proposed

*At the sole discretion of the West Tisbury Planning Board

The proposal is for a 50% bonus density for Affordable Housing and a 40% bonus density for Public Access. No bonus density is being sought for Farm Land or Extra Farm Land. 100% of the density bonuses create additional affordable housing.

EXHIBIT 6 Site Design Guideline

ATWOOD FARM DESIGN GUIDELINES

Table of Contents

- 1 . Purpose and Intent
2. Site Design Guidelines
 - a. Building Size and Lot Coverage
 - b. Building Setback, Height and Envelope Criteria
 - C. Developed Lot Area
3. Architectural Design Guidelines
 - a. Exterior Design Elements
 - b. Building Materials C. Accessory Elements
 - d. Miscellaneous Requirements
4. Landscape Design Requirements — Undeveloped Area
 - a, Planting - General Principals
 - b. Maintenance
5. The Architectural Review and Approval Process
 - a, The Committee
 - b. Submittal and Review Process
 - c. Variances
 - d. Submittal Requirements
6. Definitions

EXHIBIT 7

- 20 -

Road Maintenance Agreement

An Agreement made this original date of _____, 20 applicable to the undersigned parcel owners and users,

RECITALS

WHEREAS, Atwood Farm Road is a private road situated in West Tisbury, County of Dukes, State of Massachusetts, and

WHEREAS, the undersigned parcel owners are the owners or users of the Roadway Property situated in West Tisbury, County of Dukes, State of Massachusetts, commonly known as Atwood Farm, and described as follows:

There are three public roads for access to the parcels, Pine Hill Rd., Old Stage Rd. via Huseby Mountain Rd. and Old Courthouse Rd., where the Atwood Farm boundaries intersect the public roads and Huseby Mountain Rd.

WHEREAS, the parties desire to enter into an Agreement regarding the costs of maintenance and improvements to Atwood Farm Road and Huseby Mountain Rd as required.

WHEREAS, it is agreed that future parcel owners or users will be bound by this agreement;

NOW THEREFORE, IT IS HEREBY AGREED AS FOLLOWS:

1. Vehicle and Pedestrian Access Easement. The Roadway Property shall be subject to a perpetual, nonexclusive easement for ingress and egress granting access to all the parcel owners and their occupants, agents, employees, guests, services and emergency vehicles.
2. Utility Easement. The Roadway Property shall be subject to a perpetual, nonexclusive public utility easement for the purpose of permitting below ground utilities to be installed and maintained.
3. Road Commission Agent. A Road Commission Agent shall be elected by a majority of the property owners, will serve a term as agreed to by the property owners, and can be replaced or renewed at any time by a simple majority vote of the parcel owners. The Road Commission Agent shall be responsible for monitoring the condition of the road surface and initiating maintenance activities as needed to maintain the minimum road surface standards.
4. Road Maintenance. Road maintenance and road improvements will be undertaken and made whenever necessary to maintain the road in good operating condition at all times and to insure the provision of safe access by the parcel owners and their occupants, agents, employees, guests, services and emergency vehicles. A majority vote of parcel owners is required for any road improvements and to accept the bid for any road improvement contract. Before authorizing expenditures for future road improvements, parcel owners will be notified by the Road Commission Agent, cost estimates will be provided, and a majority agreement will be required. If any parcel owner performs improvements, maintenance, repairs or replacements without the approval of the other lot owners prior to performing such work, the lot owner performing such work shall become liable for the entire cost thereof, unless such work is deemed an emergency. However, where

emergency repairs are necessary as more particularly noted in Paragraph No. 12 below, neither majority vote nor prior approval is necessary before making such improvements or

- 21 -

undertaking such maintenance.

EXHIBIT 7 Road Maintenance Agreement

5. Parking. For the safety of the residents, no machinery, trailers, vehicles or other property may be stored or parked upon the Private Road except parking of vehicles for limited periods of time (not to exceed twelve hours).

6. Cost Sharing. Road maintenance, snowplowing and road improvement costs shall be shared on a pro-rata basis between the parcel owners sharing access to the above-mentioned road. Each parcel owner's share of costs incurred shall be determined as follows: Pro-rated cost share will be based upon the percentage of roadway extending from the staff of the Private Road to the intersection of each driveway where a resident exists or access is planned to a parcel when a residence does not exist. The Road Commission Agent shall provide the parcel owners an updated copy of the cost allocations at any point that changes are made to the cost allocations.

7. Prepayment. Prepayment of maintenance, snowplowing and improvement costs will be made to the road maintenance account by each property owner. Annually, on or before a date as specified by the Road Commission Agent, each parcel owner will contribute their pro-rated share of the estimated annual cost for road maintenance, road improvements, and annual snow removal. The Road Commission Agent shall send each parcel owner a two week notice of the annual payments due.

8. Definition of a Parcel. A parcel is defined as a land entity having a certified survey map (CSM), a platted subdivision lot number, or a parcel identification number in the case of unplatted lands. Each parcel is assessed and granted (1) vote regardless of the number of owners, or the size of the parcel. If a parcel is owned by more than one person, all of the owners of the parcel will collectively be referred to as the "parcel owner" for purposes of this Agreement, and will be entitled to one collective vote (i.e. each parcel represents one vote in the matters covered by this Agreement).

9. Future Parcels. Any additional parcels gaining access to the Private Road byway of splitting existing parcels will be bound by all terms and conditions of this agreement, and will be required to pay that portion of the maintenance, snowplowing and improvement costs incurred after the split as determined using the formula contained in Paragraph No. 6 above. If any additional parcels are created after the original Private Road Maintenance Agreement is signed, the new parcel owners must also sign the agreement. When a parcel is being sold on a land contract, the land contract vendee shall be deemed the owner of record.

10. Snow Plowing. The Private Road shall be snowplowed so as to permit year-round access. The cost shall be shared by the parcel owners as indicated in Paragraph No. 6 above. Individual driveway snow plowing, if desired, will be invoiced to the parcel owners directly by the snow plow contractor.

11. Checking Account. The Road Commission Agent shall establish and maintain a bank checking account with a local bank, and will prepare and distribute to the herein affected parcel owners an annual income and expense report and a yearend balance sheet, accounting for all funds received and disbursed.

EXHIBIT 9

12. Road Reviewed by Town or, Emergency Road Repairs. The internal roadway has been designed to provide safe access for the residents, guests, service providers and to accommodate emergency vehicles so that each internal parcel may be reached by the fire department, police department, and other agencies charged with the responsibility of protecting the public peace, safety and welfare. In the event the Town, any emergency agency, or the Road Commission Agent determines vital access has been compromised, the Road Commission Agent has the authority to make emergency repairs as needed without further notification of the residents on the road. In such cases, the property owners will be notified after the repair of the cost and amount due from the residents, as well as the reasons for making the emergency repairs.

2022

- 22 -

EXHIBIT 7

Road Maintenance Agreement

13. Effective Term. This Agreement shall be perpetual, and shall encumber and run with the land as long as the road remains private.

14. Binding Agreement. This Agreement shall be binding upon the parties hereto, their respective heirs, executors, administrators and assigns.

15. Amendment. This Agreement may be amended only by a two-thirds majority consent of all parcel owners.

16. Enforcement. This Agreement may be enforced by a majority of parcel owners. If a court action or lawsuit is necessary to enforce this Agreement, the party commencing such action or lawsuit shall be entitled to reasonable attorney fees and costs, if the party prevails.

17. Disputes. If a dispute arises over any aspect of the improvements, maintenance, repair or replacement, a third-party arbitrator shall be appointed to resolve the dispute. The decision of the arbitrator shall be final and binding on all of the lot owners. Contact information for local arbitrators can be obtained through the American Arbitration Association. In selecting a third-party arbitrator, each lot shall be entitled to one vote, and the nominee receiving a majority of the votes shall be the arbitrator. All parties shall share in the cost of any arbitration.

18. Notices. Parcel owners under the Agreement shall be notified by mail or in person. If an address of a parcel owner is not known, a certified notice will be mailed to the address to which the parcel owner's property tax bills are sent.

19. Invalidity. Should any provision in this Agreement be deemed invalid or unenforceable, the remainder of the Agreement shall not be affected and each term and condition shall be valid and enforceable to the extent permitted by law.

20. Other Agreements. This Private Road Maintenance Agreement replaces all previous Private Road Maintenance Agreements regarding the described Private Road.

21. Town Road and Driveway Ordinance. The Private Road shall be constructed and maintained in accordance with the Town's Road and Driveway Ordinance.

22. Disclaimer by Town. It is understood and agreed that the Town, and the agents of the Town shall not be liable or responsible in any manner to the developer or the property owners along the road, or to their contractors, subcontractors, agents, or any other person, firm or corporation, for any debt, claim, demand, damages, action or causes of action of any kind or character arising out of or by reason of the activities or improvements being required herein.

23. Recording This Document. Original and amended copies of this document, shall be recorded and provided to the Town Clerk by the Road Commission Agent.

January 24, 2022

EXHIBIT 8 School Housing Renderings

- 23 -

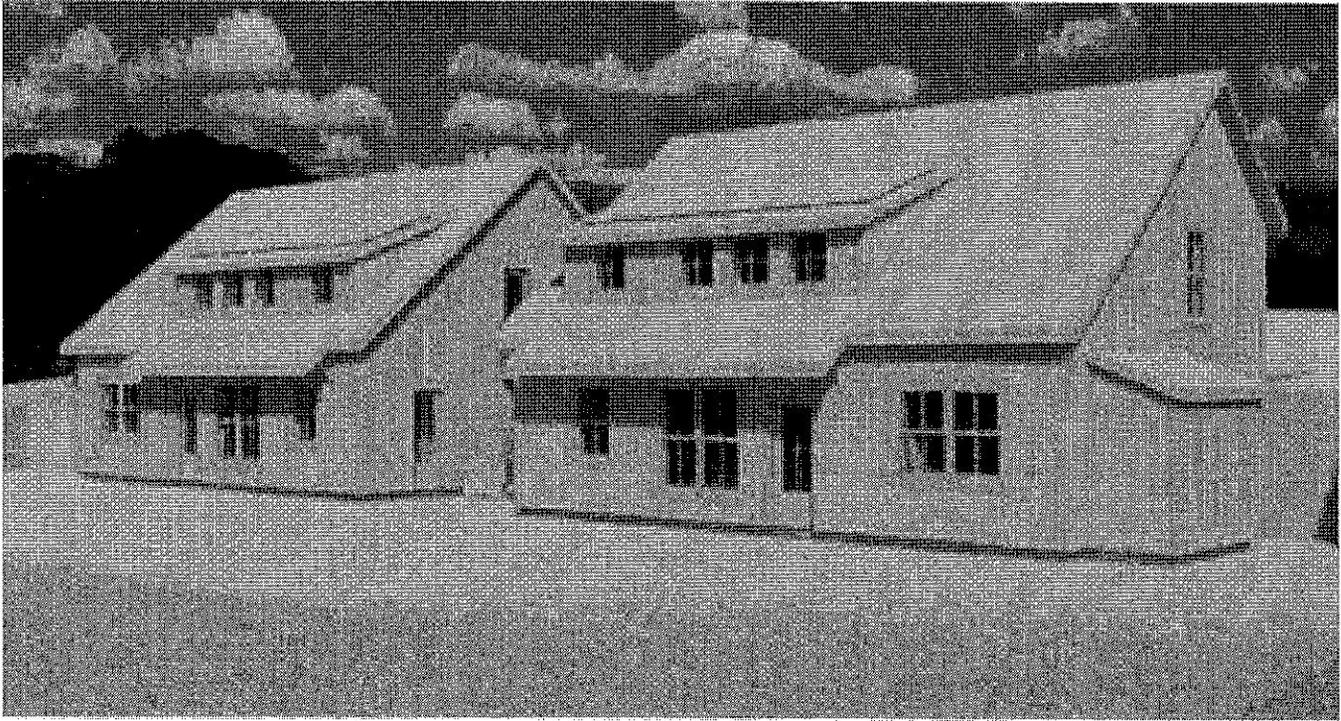
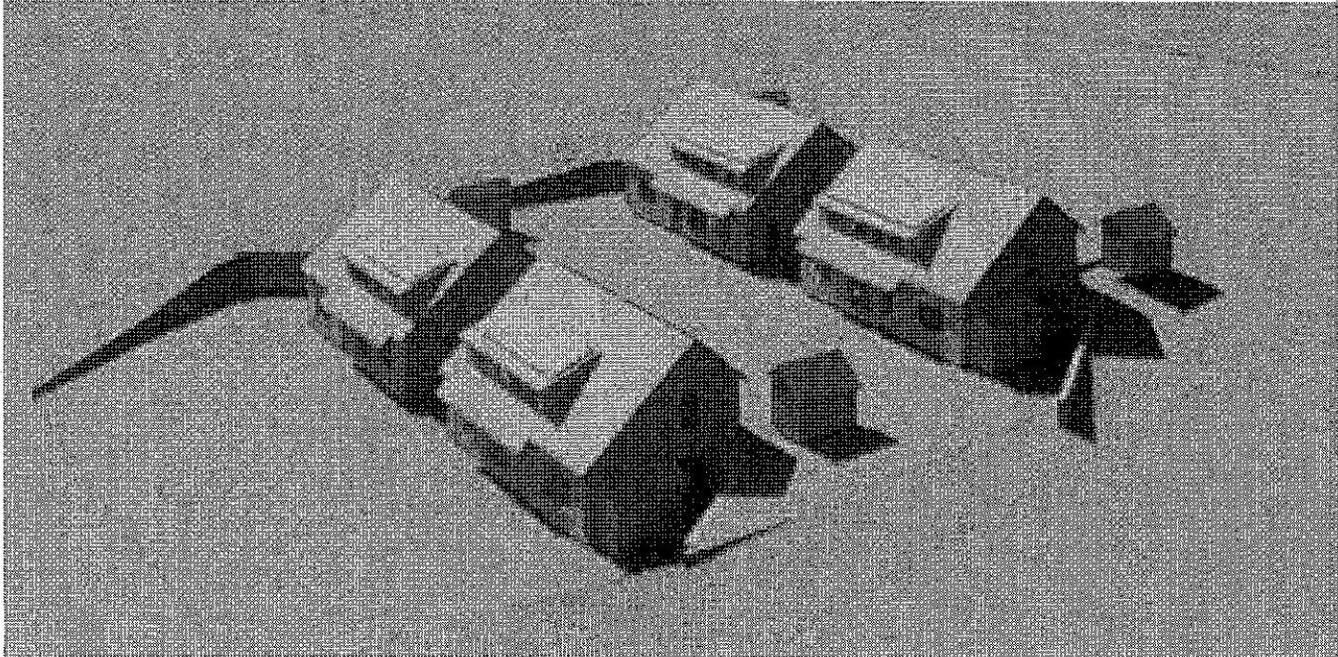
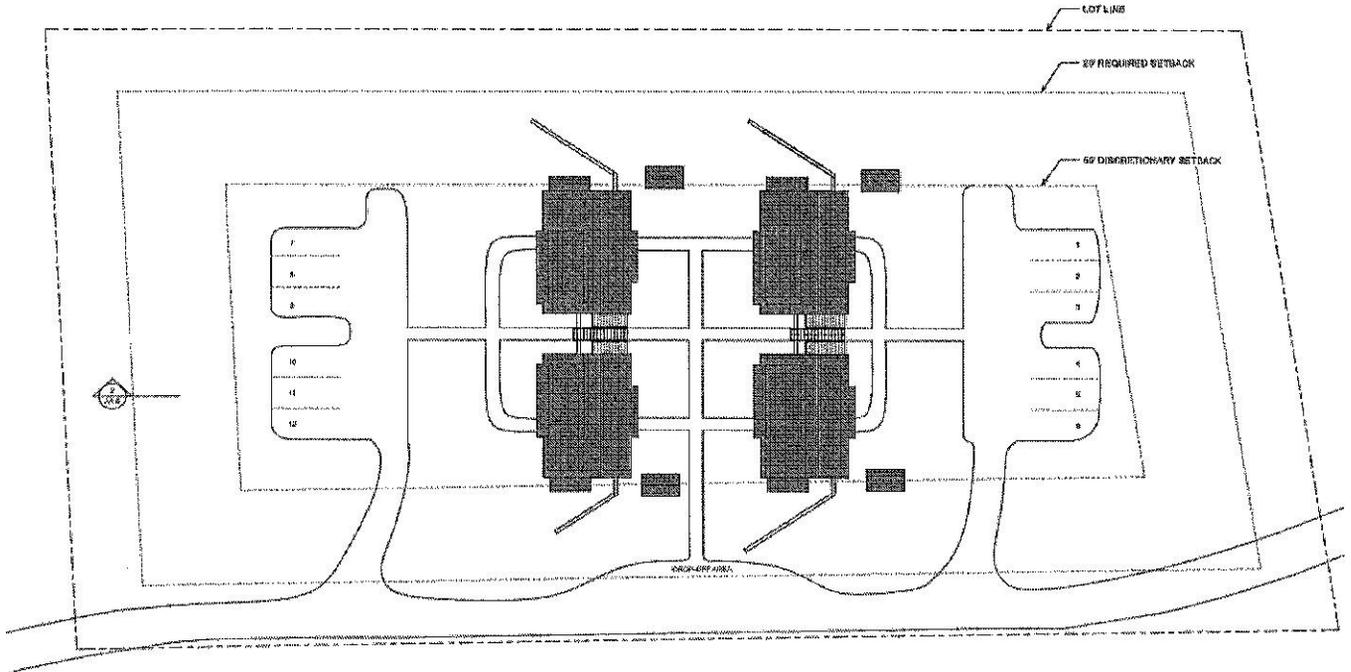
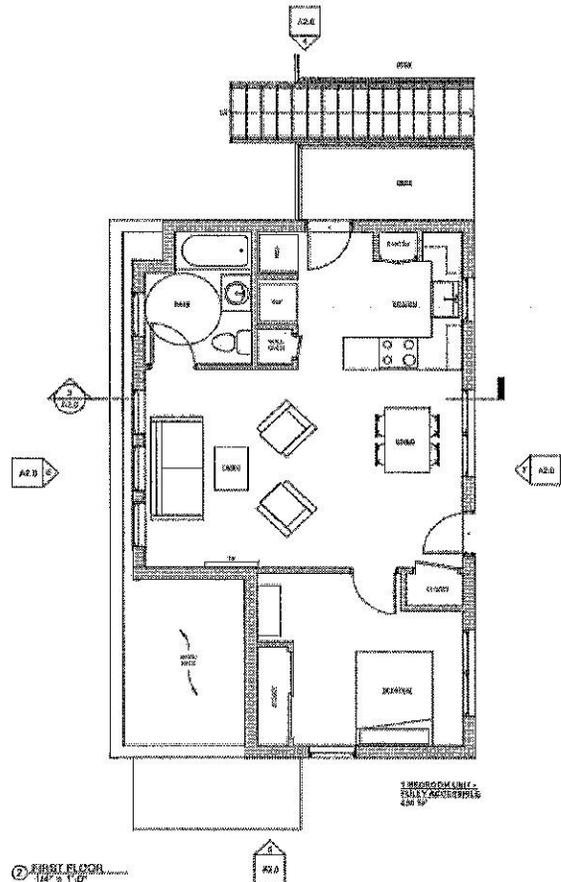


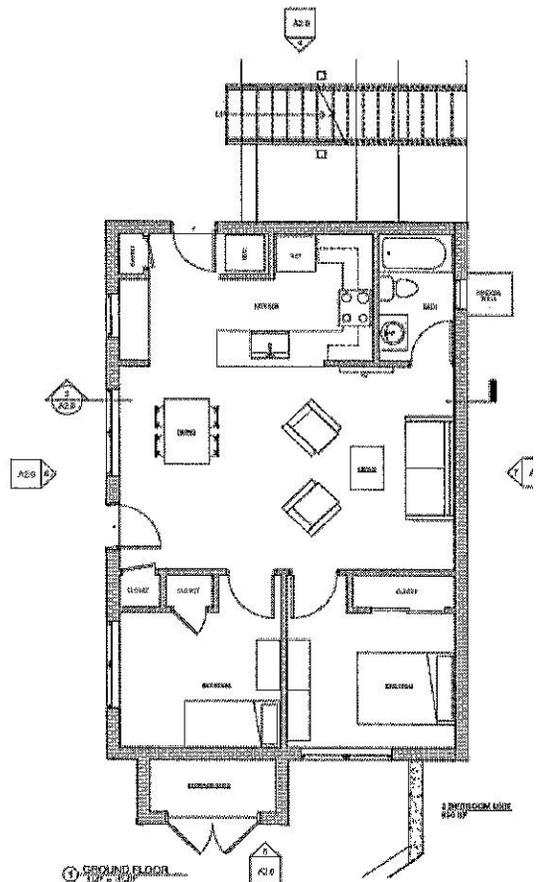
EXHIBIT 8 School Housing Renderings



① SITE PLAN
1/4" = 1'-0"



② FIRST FLOOR
1/4" = 1'-0"



③ GROUND FLOOR
1/4" = 1'-0"

EXHIBIT 8 School Housing Renderings

UPPER LEVEL UNIT ENTRY

EXHIBIT 9 Nitrogen Impact Analysis

Atwood Farm, West Tisbury

Existing approved nitrogen levels

	Lot (s)	Bedrooms		Waste Water G.P.D.		Nitrogen Per Bedroom		Nitrogen
		Per Lot	Total	Per Bedroom	Per Lot	mg/l	KB -Per Year	Total KB
KIA. Huseby	3	6	18	110	660	19	2.9	52.0
K.A. Jaxtimer lot	1	7	7	110	770	26.25	4.0	27.9
K.A. Powell lot	1	7	7	110	770	26.25	4.0	27.9
								107.8

Proposed nitrogen levels

	Number of Lots	Bedrooms		Waste Water G.P.D.		Nitrogen Per Bedroom		Nitrogen
		Per Lot	Total	Per Bedroom	Per Lot	mg/l	KB -Per Year	Total
Huseby 10 market-rate lots	8	5	40	110	550	11	1.7	66.9
	2	2	4	110	220	26.25	4.0	16.0
Affordable apartments	1	12	12	110	1320	11	1.7	10.0
Affordable Powell	1	4	4	110	440	26.25	4.0	8.0
Affordable 2 ownership	2	4	8	110	440	11	1.7	6.7
								107.5

Note: Lot SP Title V system remains as-is, and the 2 new ownership lots to use a 11 mg/l denitrification system.

Nitrogen reduction without affordable Nitrogen reduction with affordable

Nitrogen Analysis Submission December 2021

Preferred MassDEP approved systems vendor are:

- Nitrex@ Waste-Water Treatment System with unit sizing for design flows or
- NitROE@ Waste-Water Treatment System (NitROE@ WWTS) with unit sizing for design

EXHIBIT 1 1 State Housing Inventory (SHI) & Projected

Martha's Vineyard Affordable Index

Town	2010		SHI Inventory	SHI As %	Required Affordable
	Census Year Round Homes	SHI Inventory			
Aquinnah	158	41	25.9%		N.A.
Chilmark		41846	0.0%		
Edgartown	1,962	73137	3.7%	117108	
Tisbury	1,965	107	5.5%		99
West Tisbury	<u>1,253</u>	11	0.9%		<u>127</u>
M.V. Total	7,894	349			517

* Unit Shortfall/0.9 as 10 new affordables requires 1 new affordable
 Source: Mass Gov. Updated 2020 - subject to change

Projected Martha's Vineyard Affordable Index*

Town	2020 Census Est.		SHI Inventory	SHI As %	Required Affordable Units*
	Year Round Homes	SHI Inventory			
Aquinnah	204	41	20.1%		N.A.
Chilmark	538	0	0.0%		60
Edgartown	2,191	73162	3.3%		
Oak Bluffs	2,316	117127	5.1%		
Tisbury	<u>119</u>	2,139	0.7%		107
West Tisbury	1,509	11155	3.9%		
M -V. Total	8,897	349624			

* Unit Shortfall/0.9 as 10 new affordables requires 1 new affordable
 Source: Umass/Donahue 2020 - subject to certification by DHCD

This survey and plan were prepared in accordance with the Standards of Land Surveying in the Commonwealth of Massachusetts.

I certify that the preparation of this plan conforms with the standards and regulations of the Registrars of Deeds effective January 1, 1976 and as amended.

R. Heehn, Professional Land Surveyor

Date:

existing bluestone road

40' Wide Easement
West Tisbury Cose
Way 399)

I certify that the monuments of the dots of this survey, monument* controlling prior plans or monuments shown end described hereon. 30.00' shown hereon have been set in accordance with the instructions of 2005 a. o. the date this survey.

I certify that survey mode On the ground in accordance with the Land Court Instructions of 2005 between April 11, 2015 and September 11, 2015.

Cune
Curve Length Rad/Ga

90.64' 79.57'

40.47' 50.00'

50.00' further east

47.79'

the Land Court

instructions of 2005 a. o. the date

this survey.

Line Table

S 78°5e' 25"E

40.00'

30.00'

30.00'

Douglas R. Hoehn, professional Land Surveyor

Wendy H. BuJok
Assessor's Parcel

found

7.07

1.18 Miy

Jill Hobby &
Jason Napier
Assessor's Parcel

1.00 Land Court Order

Sherry Kagan Segal

Linear error or closure:
Directional error of closure:
Precision:

N 0.27"
(101 cur.to +p)
IP F disturbed

Jill Hobby &
Napier
Assessor's Parcel

7.42

Stephen C. Aroujo
Parcel

Wade & Christina M. Slrmona

Doniol
Parcel

Open

8.37 acres*

Daniel VanLandingham
Assessor's Parcel

0.75 208' I,
0.75 m-e -0
S 857.07 e97.57'

Arg' 70,SS
Rad: 50.00

1.NM3 \

2.0

142.4P'

LN M2
1.00

348.25

218.25

1M

Faren Worthington
Assessor's parcel

Approval Under Subdivision
Contra! Law le Required;
We T*,ry

H. Parker Thompson, True(ce
Assessor's parcel
21 -

Plan of Land in
West Tisbury, Mass.
Huseby Meadows, LLC
4.51 S. LEP
January 11, 2022
1" IOC
S&ofield Carbinl & Hæhn Inc.
Civil
Land Surveying Lone. Box 339
12 Surveyor's Haven, Moss.
Vineyard -693-27B1
w.sbhinc.ne
10580
Owner: Huseby MeadowB LLC

Perimeter Area: 33.45 acres
Open FQm 7.42
Road syg(om):

I thol na Open 0.58 durlng
and recordng of

TOTAL OPEN 20.04 (60%)

TORs

1. piQn shows subdivlelon Of land owned by Huseby Meadows, LLC;

2. division of land fall' under Section 5.1 through 5.5. (Open Space Development) of the West Tisbury Zoning By-Law

ca F denotes hole in concrete bound found denotes
iron pipe found denotes drill hole in stone found
. denotes proposed building envelopes

cu_F1-ac
A,LE-

40'
Eoemant

wo'
West Tisbury
40' Wide
File 399)
(see

Jogor
Hobby &
NapEar

J. Hantar
ABaa5sor'a Parcel

Parcel

Non-Residential Accessory Structure
Restricti+n

1.00* aârss
trpll

'Grosh gfte"

JIII Hobby
Jea'n Napior
AasBssor'3 Parcel

trail coBment

W. & Christino

Simm6nq

Sherry Kagan Segal

± dcr9i
± resirigtcd

it/,p'/'

trof Bazament

existng
sptic

P. acre' 0.75±

10' wide trol

-40'

LatSP

Ihyr Y

/ Stephen C. Araujo

Asa3sor'3 parcel existlv(g

exis El

Farsn
A3aaBEor'B Parcel'

1.00.E

existng

Harry
Asassor's Parcel

exis eng

existing

dIngham

Estate of
Flenders
Parcel

H. pprtór Thompson, TruBE83"

Parimeter Area: 33.45 acres

Open 7.42

FQrm

Road Sptem; zgs

Open Space Lot: 0.5B ce

OPEN SPACE: 20.04

Existng Wells and septic on Assessor's 21 Parcels
21-10, 21-13, 22-7.2, 22-7.5, 22-7.6 to end 22-7 to wldg. →
logged to insure proper separation5 ram dormpn)

"Overlay Plan"
Plan of Land In
West Tisbury, Mass.
Huseby Meadows, LLC
23, I.D 4170*

scale: 1" = 100' 11, 2022
T Schofield Barblin & Hoehn Inc.
Land Surveying - Civil
12 Surveyor's Lane, 339
Vineyard Mass.
508-593-2731 www.sbhinc.net
10580

